

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBERT HEMBREE,

Plaintiff,

v.

CV No. 20-343 GJF/CG

3-D OIL FIELD SERVICES &
RENTAL, L.L.C.,

Defendant.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court on review of the record. Plaintiff filed his Complaint on April 16, 2020, alleging violations of the Fair Labor Standards Act and New Mexico Minimum Wage Act. (Doc. 1 at 1). The record reflects a Summons was issued to Defendant on April 26, 2020. However, Defendant has not returned the executed Summons or otherwise responded to Plaintiff's Complaint. No further activity has occurred in this case since the Summons was issued over 90 days ago. Under Local Rule 41.1, "A civil action may be dismissed if, for a period of ninety (90) days, no steps are taken to move the case forward." D.N.M. LR-41.1. As such, Plaintiff is instructed to show cause why his case should not be dismissed under Rule 41.1 for failure to prosecute.

IT IS THEREFORE ORDERED that, on or before **August 10, 2020**, Plaintiff shall file a written response to the Court's Order, explaining the current status of service on Defendant or otherwise request the appropriate relief.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE